IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 680 OF 2002

Kantilal C. Kothari & Ors. .. Petitioners.

vs.

State of Maharashtra

& Anr. .. Respondents.

Mr. D.D. Madon i/by Mulla & Mulla

for petitioners.

Mr. A.A. Kumbhakoni, Addl. Adv.

General a/w Geeta Shastri, AGP.,

for respondents.

CORAM : S.U. KAMDAR, J.

DATE : 5th April, 2006.

P.C.:

. After the matter was heard for two days on 29.3.2006 and 3.4.2006, the judgement was reserved. After reservation of the judgment, the learned Advocate for the petitioners has tendered an application for withdrawal of the petition.

2. The said application for withdrawal has been opposed by the respondents on the ground that by

virtue of the interim orders passed in the present petition on 4.3.2002 they have not been able to recover the amount and, therefore, no withdrawal should be granted. I am of the opinion that the right of the petitioner to withdraw the petition is absolute and, therefore, I am permitting the withdrawal of the petition. However, the said withdrawal is unconditional. Accordingly, writ petition is dismissed as withdrawn. All interim orders stands vacated. The respondents will be at liberty to execute the impugned order in accordance with law and will be at liberty to take out all proceedings for interest if available in law.